

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *eg* D.C.  
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THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TN, MEMPHIS

MICHAEL B. BAILEY,

Plaintiff,

vs.

SHERIFF MARK LUTTRELL, JR.,  
et al.,

Defendants.

NO. 03-2996 MI/An  
JURY DEMANDED

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ORDER GRANTING MOTION FOR ENLARGEMENT OF  
TIME TO COMPLETE DISCOVERY

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Before the Court is Plaintiff's Motion for Enlargement of Time to Complete Discovery filed on August 5, 2004. For good cause shown, the motion is **GRANTED**.

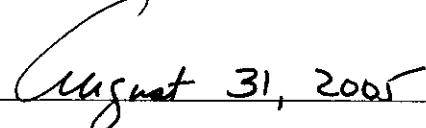
While Plaintiff requests additional time to complete discovery, the wording of the Motion appears to claim that Plaintiff has not received discovery responses from the Defendants to which he thinks he is entitled. In their response, Defendants state that they have responded to all discovery requests submitted by Plaintiff but, apparently they objected to certain discovery requests when they thought appropriate.

Plaintiff is advised that he must file a Motion to Compel Discovery under Fed. R. Civ. P. 26(b)(1) if he believes the Defendants have not properly responded or objected to discovery requests that he thinks are relevant and appropriate. Prior to filing a Motion to Compel Discovery, however, the Plaintiff must comply with Local Rule 7.2 and must consult with counsel for Defendants in an attempt to resolve the discovery dispute. Since the Plaintiff is incarcerated, he can consult counsel for Defendants by mail.

While it is somewhat unclear as to whether the Plaintiff really needs more time to complete discovery or whether he is actually concerned because the Defendants have objected to certain discovery requests or have provided responses Plaintiff believes are not acceptable, the Court will grant the Motion and extend the deadline for completing discovery to September 20, 2005. The dispositive motion deadline shall remain October 14, 2005 and trial is currently scheduled for February 13, 2006.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

Date:  \_\_\_\_\_



## Notice of Distribution

This notice confirms a copy of the document docketed as number 37 in case 2:03-CV-02996 was distributed by fax, mail, or direct printing on September 2, 2005 to the parties listed.

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Michael B. Bailey  
STSRCF  
221117  
Rt. 4, P.O. Box 600  
Pikeville, TN 37367

Debra L. Fessenden  
SHELBY COUNTY ATTORNEY'S OFFICE  
160 N. Main Street  
Ste. 660  
Memphis, TN 38103

Honorable Jon McCalla  
US DISTRICT COURT